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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/987,550	11/15/2001	Yasuhisa Hayashi	216099US2	7362
22850	7590	03/23/2004	EXAMINER	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			NGUYEN, QUYNH H	
			ART UNIT	PAPER NUMBER
			2642	102

DATE MAILED: 03/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/987,550

Applicant(s)

HAYASHI ET AL.

Examiner

Quynh H Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on Amendment filed 12/29/03.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1,3-10 and 12-18 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1,3-10 and 12-18 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 8.
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

DETAILED ACTION

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 103

2. Claims 1, 3, 10, 12, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chestnut (U.S. Patent 6,041,114) in view of Perkins (U.S. Patent 6,614,889).

Regarding claims 1 and 10, Chestnut discloses a system and method for managing call forwarding. Calls are forwarded based upon the device used to log onto the computer network by the called party (Fig. 2, 40, 44, and 50). The communication terminal ("caller 30") placed a call on the PSTN 6, and is sent a call forwarding destination information including information on at least a call forwarding destination (Fig. 3, 70 - "the caller is provided with a list of locations"); and the caller selects a call forwarding destination (Fig. 3, 72 - "...any of which can be selected by the caller and tried in order to locate the called party") and allows the communication terminal and the call forwarding destination to communicate with each other according the information on the call forwarding destination (col. 3, lines 8-42). Chestnut also teaches establishing a communication mode ("distinguish between internal extensions 10, outside lines 28, cell phones, Internet voice, home fax 24, voice messaging system 18, and two way pagers") between the communication system and the communication terminal according to the information on the call forwarding destination (col. 3, lines 51-60 and col. 4, lines 36-57).

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However, Chestnut does not explicitly suggest the communications mode comprises one of an email mode, a fax mode, and a chat mode.

Perkins teaches a method of using a computer and a switching device to permit two devices connected to the switching device to be interconnected into different interconnected modes of operation (Abstract) such as a fax machine (Fig. 1, 3), a telephone line via telephone cable 15, a computer 7, and a modem 5.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the different modes of operation, as taught by Perkins, in Chestnut's system in order to enable the caller to have more communications mode^s to choose from.

Regarding claims 3 and 12, Chestnut teaches the caller is presented with different lists of potential forwarding telephone numbers to select, before the PBX 4 sends the call to the called party, the telecommute server 2 checks the computer network to see if the called party is logged on what device, for example, fax, voice messaging system, phone (communication mode is voice) reads on claimed "...caller selects a communication mode...configured to establish the communication mode selected by the caller between the communication system and the communication terminal".

Regarding claims 6 and 15, Chestnut teaches that the system checks to see if calls are being forwarded or not (col. 6, line 60 through col. 7, line 20). However, Chestnut does not explicitly suggest a part for storing the call forwarding destination information. It would have been obvious to one of ordinary skill in the art that if there is

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the list of call forwarding information and user can modify the list, then the list of call forwarding information would have to be stored somewhere within the system.

Regarding claims 8 and 17, Chestnut teaches indicating call forwarding is available or not and sending call forwarding information (col. 6, line 60 through col. 7, line 20).

3. Claims 4, 5, 7, 9, 13, 14, 16, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chestnut (U.S. Patent 6,041,114) in view of Alfred et al. (U.S. Patent 5,894,504).

Claims 4 and 13 are rejected for the same reasons as discussed above with respect to claim 1. Furthermore, Chestnut teaches the telecommute server checks and instructs the PBX 4 to forward the call to the telephone extension associated with the device the called party has used to log onto the computer network or sends the incoming call to the voice messaging system if the called party is not logged onto the computer network, therefore, the telecommute server is inherently comprised a media conversion part for performing media conversion between communication modes. However, Chestnut does not teach the media conversion including one of voice-to-text conversion and text-to-voice conversion.

Alfred et al. teach a speech recognition system transcribe the message being recorded from the caller in waiting to text (Fig. 4, 401) and forwarded the converted text to the called party (Fig. 4, 402).

It would have been obvious to one of ordinary skill in the art to incorporate the feature of having the media conversion including one of voice-to-text conversion and

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text-to-voice conversion, as taught by Alfred et al., in Chestnut's system in order to ensure the same communication mode between the communication terminal and the forwarded destination.

Claims 5 and 14 are rejected for the same reasons as discussed above with respect to claims 3 and 12.

Claims 7 and 16 are rejected for the same reasons as discussed above with respect to claims 8 and 17.

Claims 9 and 18 are rejected for the same reasons as discussed above with respect to claims 6 and 15.

Response to arguments

4. Applicant's arguments filed 12/29/03 have been considered but are not persuasive. Applicant's arguments are addressed in the above claims rejections.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quynh H. Nguyen whose telephone number is 703-305-5451. The examiner can normally be reached on Monday - Thursday from 6:30 A.M. to 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on (703) 305-4731. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

qhn

Quynh H. Nguyen
March 18, 2004


AHMAD MATAR
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER, 2000